

MINUTES
Notice of Regular Meeting
Oneida County Board of Supervisors
Tuesday, August 15, 2017 - 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room - 2nd Floor

CALL TO ORDER.

Chairman Hintz called the meeting to order at 9:30 a.m. in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas followed by the Pledge of Allegiance.

MEMBERS PRESENT: Supervisors: Tom Kelly, Jack Sorensen, Sonny Paszak, Dave Hintz, Ted Cushing, Alan Van Raalte, Lisa Zunker, Billy Fried, Mike Timmons, Bob Metropulos, Mitchell Ives, Robb Jensen, Jim Winkler, Lance Krolczyk, Greg Pence, Bob Mott, Scott Holewinski, Carol Pederson, Bill Freudenberg, Alex Young.

Members Present: 20

Supervisors Excused: Greg Oettinger.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS:

- Sign Attendance Form at the Podium.
- Please Use Microphones When Speaking.

ACCEPT THE MINUTES OF THE JUNE 20, 2017 MEETING.

Motion/Second: Jensen/ Winkler to accept the minutes of the 6-20-2017 meeting. All Aye for approval of corrected minutes.

Corrections, Additions, Deletions: The minutes were approved as corrected.

REPORTS/PRESENTATIONS:

- Aging and Disability Resource Center (ADRC)-Dianne Jacobson did a presentation on merging Department on Aging and ADRC services to create one entity. Terese Poe from ADRC presented on ADRC's current role.
- Health Department Annual Report- Linda Conlon answered questions on the annual report for the Health Department. Annual report was distributed prior to meeting.
- Veterans Service Office Annual Report- Tammy Walters presented the annual report for the Veterans Office. Comments by Mott and Sorensen. Annual report was distributed prior to meeting.
- Social Services Annual Report- Mary Rideout presented the annual report for Social Services.
- Lynn Markham, Shoreland and Land Use Specialist, UW Stevens Points – Public Trust Doctrine, history of shoreland zoning and other shoreland zoning matters. Markham discussed factors that affect water quality of lakes and streams and how that affects property values. She presented a history of shoreland zoning. A handout was distributed.
- Karl Jennrich – Update on Planning and Development and progress on Shoreland Zoning revisions.

* **PUBLIC COMMENT:** Terry Fries commented regarding his opinion on the Department on Aging and ADRC merging.

CONSENT AGENDA:

Resolution # 55-2017: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PL 299-2 to Jason Snyder and Christena Snyder.

Resolution # 56-2017: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of TL 1135-15 to David P. Bacon and Cindy Bacon.

Resolution # 57-2017: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of CA 926 to Guy W. Hansen and Carole L. Hansen and part of CA 926 to the Town of Cassian.

Resolution # 58-2017: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of SU 1009-1 to Brian J. Stefonek.

• **APPOINTMENTS TO COMMITTEES, COMMISSIONS AND OTHER ORGANIZATIONS:**

Appoint Mark Espeseth to the Veteran's Service Commission with a term to expire in January 2018.

Re-appoint Phil Albert to the Zoning Board of Adjustment with a term to expire in July 2020.

Re-appoint John Bloom to the Zoning Board of Adjustment with a term to expire in July 2020.

Re-appoint Ed Hammer to the Zoning Board of Adjustment as the first alternate with a term to expire in July 2020.

Re-appoint Pat Schilling to the Housing Authority with a term to expire in August 2022.

Re-appoint Barbara Wolosz to the Housing Authority with a term to expire in August 2022.

Motion/Second: Van Raalte/Sorensen to accept the Consent Agenda as presented. Consent Agenda approved.
Roll Call Vote: 20 Aye, 0 Nay, 1 Absent, Greg Oettinger

CONSIDERATION OF RESOLUTIONS, ORDINANCES AMENDMENTS AND RE-ZONE PETITIONS:

Resolution # 49-2017: Offered by the Supervisors of the Oneida County Commission on Aging authorizing the Oneida County Department on Aging to execute and submit the Notice of Intent to Submit an Application to operate an ADRC and to notify the ADRC of the Northwoods of the intent to withdraw as a partner.

WHEREAS, the Aging and Disability Resource Center (ADRC) provides a central source of reliable information about a broad range of long term support programs for elderly as well as persons with disabilities and mental illness and/or substance abuse disorders to enhance individual choice, support informed decision-making, and to help people understand their care options; and

WHEREAS, in January, 2012, Oneida County entered into a Long Term Care District with the Counties of Forest, Vilas, Taylor and Oneida (individually "a County" and collectively "the Counties"), together with Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa Indians and Sokaogon Chippewa Community (individually "a Tribe" and collectively "Tribes") to jointly operate an Aging and Disability Resource Center (ADRC); and

WHEREAS, the State of Wisconsin is committed to the integration of aging units and ADRCs to enhance coordination and reduce duplication of effort in service delivery; and

WHEREAS, in order to provide the highest level of service and program options to the citizens of Oneida County eligible for aging and ADRC services, the Health and Aging Committee supports and intends to apply to the Wisconsin Department of Health Services to become an integrated aging unit and ADRC; and

WHEREAS, If Oneida County becomes an integrated aging and ADRC unit, Oneida County shall comply with the duties set forth in Wis.Stat. 46.283(4) as well as to serve the elderly as well as persons with disabilities and mental illness and/or substance abuse disorders by working collaboratively with local public agencies and community stakeholders, including mental health, substance use, social services and income maintenance units, in the development of the ADRC; and

WHEREAS, a separate resolution will be presented at a later date requesting authorization to submit the application to reorganize the ADRC and governing board, with adequate funding available and no additional county tax levy required.

WHEREAS, in order to become an integrated aging unit by January 1st, 2018, Oneida County will have to negotiate with the ADRC of the Northwoods for a release from the contractual obligations; and

WHEREAS, the ADRC of the Northwoods has previously voted to allow another jurisdiction to withdraw from the ADRC regional partnership; and

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Board of Supervisors in session this ~~20th day of June, 2017~~ 15TH day of August, 2017, does hereby support and authorize the Oneida County Department on Aging to execute and submit the *Notice of Intent to Submit an Application* to operate an ADRC and to notify the ADRC of the Northwoods of Oneida County's intent to withdraw as a partner of the Long Term Care District by January 1, 2018 and seek an early release from the contractual obligations of the regional partnership.

Approved by the Commission on Aging Committee this 13th day of June 2017.
Offered and passage moved by: Bob Mott, Carol Pederson and Tom Kelly

Motion/Second: Mott/Young to amend Resolution # 49-2017. Amend line 40 that states the 20th day of June to the 15th day of August 2017.

Roll Call Vote: 20 Aye, 0 Nay, 1 Absent, Greg Oettinger

Student Representative: 1 Aye

Amendment: Passes

Discussion: Mott discussed possible integration of Aging and Disability Resource Center/Department On Aging. Erv Teichmiller discussed history of establishing ADRC of the Northwoods. Smith went over funding currently received for ADRC. Comments from Holewinski and Jensen. Jacobson discussed current funding and how the change would affect future funding. Comments from Jensen and Hintz. Rideout discussed history of ADRC, per Rideout Social Services was the fiscal agent of ADRC of the Northwoods. Anne Olson discussed funding, the states stance on integrated ADRC's, and what the notification process would be. Comments from Metropulos, Cushing, Van Raalte, Fried, Mott, Desmond, Jensen, Holewinski and Winkler. Neil Minogue from the State of Wisconsin Bureau of Aging and Disability Resources spoke. Wendall Holt a private citizen made public comments.

Roll Call Vote: 16 Aye, 4 Nay (Timmons, Cushing, Holewinski, Fried), 1 Absent Greg Oettinger

Student Representative: 1 Nay

Resolution # 49-2017: Passes

Break called at 12:22 p.m.

Resumed 12:35 p.m.

Freudenberg did not return from break.

Resolution # 59-2017: Offered by the Public Works Committee approving the transfer of lands (Project ID T05-5(1): Parcel 33; Part of Gov't Lot 2 and the SW1/4 of the NE1/4, Section 11, Township 39 North, Range 6 East) to the Wisconsin Department of Transportation.

WHEREAS, Oneida County was granted title or easement to a strip of land for purposes of Highway 51 right of way (see attached descriptions and maps); and,

WHEREAS, Wisconsin Statute s. 84.09(3)(b) requires that upon order of the Department of Transportation (DOT) the County shall transfer the above referenced lands to the DOT; and,

WHEREAS, the DOT has issued the order requiring the transfer of the above referenced strip of land more specifically described as: (Project ID T 05-4(1): Parcel 33; Part of Gov't Lot 2 and the SW1/4 of the NE1/4, Section 11, Township 39 North, Range 6 East; and,

WHEREAS, the order of the DOT requires that the County Clerk and the Highway Committee sign the attached quitclaim deed; and,

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the lands described in the attached order and quitclaim deed be transferred to the Wisconsin Department of Transportation pursuant to Wisconsin Statute s. 84.09(3)(b); and,

BE IT FURTHER RESOLVED, that the Oneida County Clerk and Highway Committee are authorized and directed to sign the attached quitclaim deed.

Approved by the Public Works/Solid Waste Committee this 27th day of July, 2017.

Offered and passage moved by: Ted Cushing, Sonny Paszak, Robb Jensen, Scott Holewinski and Mike Timmons.

Discussion: Stefonek and Romportl explained resolution and process for dealing with excess right-of-way. Discussion ensued.

Roll Call Vote: 19 Aye, 0 Nay, 2 Absent Oettinger, Freudenberg

Student Representative: 1 Aye

Resolution # 59-2017: Passes

Resolution # 60-2017: Offered by the Supervisors of the Administration Committee authorizing the Human Service Center Loan Agreement with a revised amortization schedule.

WHEREAS, on December 30, 2002, Oneida County issued 20-year general obligation bonds to facilitate the remodeling of the Human Service Center building, a county owned building, and

WHEREAS, an agreement with the Human Services Board stated that the Board was to refund the County annual principal and interest payments on a monthly basis, and

WHEREAS, on June 21, 2016 the Oneida County Board of Supervisors approved the payoff to the State Trust Fund the bond loan balance of \$360,000 from the General Fund, and agreed to reduce the interest rate payable by the Human Service Center on the loan balance to Oneida County to 2.5%, and

WHEREAS, the loan principal owed to Oneida County at December 31, 2015 was \$425,000 with principal payments of \$65,000 plus interest to be made monthly during 2015, resulting in a principal balance owed to Oneida County at December 31, 2016 of \$360,000, and

WHEREAS, the agreement approved on June 21, 2016 stated the principal balance at \$360,000 as of April 1, 2016, instead of the actual amount of \$408,242, and

WHEREAS, a revised agreement has been prepared to reflect the actual principal balance amount of \$408,242 as of April 1, 2016, with the final loan payment to be made in December, 2021 as per the original loan schedule when the bonds were issued.

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors approve the revised Business Loan Agreement with the Human Service Center.

Approved by the Administration Committee this 7th day of August, 2017.

Offered and passage moved by: Dave Hintz, Robb Jensen, Ted Cushing, Billy Fried and Bob Mott.

Discussion: Darcy Smith discussed amortization schedule of Human Service Center and adjustment for the loan schedule. Comment from Van Raalte and Desmond.

Roll Call Vote: 19 Aye, 0 Nay, 2 Absent Freudenberg, Oettinger

Student Representative: 1 Aye

Resolution # 60-2017: Passes

Resolution # 61-2017: Offered by the Supervisors of the Administration Committee waiving the conflict of interest and allow Attorney Andy Phillips to represent Lakeland Cares, Inc. on contract negotiations.

WHEREAS, Oneida County is currently negotiating a contract with Lakeland Cares, Inc., a managed care organization, for the provision of services under Family Care; and

WHEREAS, the contract negotiations have reached a point where Lakeland Cares, Inc. has made the decision to involve legal counsel; and

WHEREAS, Lakeland Cares, Inc. legal counsel is Andy Phillips of the Von Briesen & Roper law firm; and

WHEREAS, Andy Phillips has previously represented Oneida County on matter unrelated to the current contract negotiation; and

WHEREAS, in order for Attorney Andy Phillips to represent Lakeland Cares, Inc. Oneida County would be required to waive any conflict of interest; and

WHEREAS, County Board has the sole authority to waive the conflict of interest.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board agrees to waive the conflict of interest and allow for Attorney Andy Phillips to represent Lakeland Cares, Inc. on the current contract negotiation; and

BE IT FURTHER RESOLVED, that the County Clerk shall provide Attorney Andy Phillips with a signed and certified copy of this resolution as evidence of Oneida County's waiver of any conflict of interest.

Approved by the Administration Committee this 7th day of August, 2017.

Offered and passage moved by: Dave Hintz, Ted Cushing, Robb Jensen and Bob Mott.

Motion/Second Jensen/Van Raalte to postpone indefinitely.

Discussion: None.

Roll Call Vote: 19 Aye, 0 Nay, 2 Absent, Oettinger, Freudenberg

Student Representative: 1 Aye

Motion to postpone: Passes

Resolution # 62-2017: Offered by the Supervisors of the Conservation and UW-EX Education, Planning and Development and Labor Relations Employee Services Committees to make the merger of the Land and Water Conservation Department with the Planning and Zoning Department permanent.

WHEREAS, the Oneida County Board of Supervisors passed resolution #53-2015 merging the Land and Water Conservation Department with the Planning and Zoning Department; and

WHEREAS, resolution # 53-2015 required the following:

“During the twelve-month trial period, the Planning & Zoning Director will report to both the Planning and Development and Conservation, UW-EX Education Committees.

During a twelve-month trial period, the Planning & Zoning Director, County Conservationist, and the Human Resource Director shall routinely review and make individual recommendations to the Conservation & UW-EX Education and LRES Committees as to the advantages and disadvantages of the merger. The Conservation & UW-EX Education and LRES Committees shall consider these recommendations and forward to the County Board of Supervisors a resolution considering a permanent merger”

WHEREAS, Resolution #39-2016 to finalize the merger of the two departments was delayed by the County Board due to several staff vacancies during the trial period, more time was needed to assess the potential merger; and

WHEREAS, vacant positions have been filled and the routine review of the merger has indicated that the merger has been successful; and

WHEREAS, the Planning and Zoning Director, County Conservationist and Human Resources Director did recommend to the Conservation and UW-EX Education, Planning and Development and Labor Relations Employee Services Committees to have the merger become permanent.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the merger of departments prescribed by Resolution # 53-2015 shall be permanent.

Approved by the Conservation and UW-EX Education Committee this 7th day of August, 2017.

Approved by the Planning and Development Committee this 2nd day of August, 2017.

Approved by the Labor Relations Employee Services committee this 1st day of August, 2017.

Offered and passage moved by: Ted Cushing, Dave Hintz, Sonny Paszak, Carol Pederson, Billy Fried, Scott Holewinski, Jack Sorensen, Robb Jensen, Jim Winkler, Alan Van Raalte, Bob Mott and Mitch Ives.

Discussion: Mott explained background of the merge. Discussion ensued.

Roll Call Vote: 19 Aye, 0 Nay, 2 absent Oettinger, Freudenberg

Student Representative: 1 Aye

Resolution # 62-2017: Passes

Rezone Petition # 5-2017: Offered by the Supervisors of the Planning and Development Committee to rezone land from District #2 – Single Family to District #10 – General Use on property described as all that part of Government 2 lying westerly of Reed Road in Section 22, T39N, R11E, Town of Three Lakes, Oneida County, Wisconsin.

WHEREAS, the Planning & Development Committee, having considered Petition #5-2017, (copy attached) which was filed May 17, 2017, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon June 21, 2017 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #02-Single Family to District #10-General Use on property described as all that part of Government 2 lying westerly of Reed Road in Section 22, T39N, R11E, Town of Three Lakes, Oneida County, Wisconsin.

And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS, the landowner requested the rezone to allow an accessory building larger than 1008 square feet and;

WHEREAS, the Town of Three Lakes approved the request (copy attached) and;

WHEREAS, On June 21, 2017 the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change and nobody had concerns for or against the change and;

WHEREAS, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:
Petition #5-2017:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #5-2017 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02-Single Family to District #10-General Use on property described as follows:

All that part of Government Lot 2 lying westerly of Reed Road in Section 22, T39N, R11E, Town of Three Lakes, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition # 5-2017 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Three Lakes Town Clerk.

Approved by the Planning and Development Committee this 5th day of July, 2017.

Offered and passage moved by: Scott Holewinski, Jack Sorensen, Mike Timmons, Dave Hintz and Billy Fried.

Discussion: Jennrich briefly explained resolution, zoning and usage limitations. Discussion ensued.

Roll Call Vote: 19 Aye, 0 Nay, 2 Absent Oettinger, Freudenberg

Student Representative: 1 Aye

Rezone Petition: Passes

NEXT MEETING DATE AND TIME: September 19, 2017 @ 9:30 am.
(unless a motion is made to change the starting time).

ADJOURNMENT:

Motion was made to adjourn at 12:53 p.m. by Cushing and seconded by Van Raalte.

Meeting adjourned at 12:53 p.m.